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VIA E-FILING

SO ORDERED: Peter Ireland
DATED: 5/19/09

Clerk, United States District Court
P.O. Box 999
Newark, New Jersey 07101

Re: USA v. Rucci
Magistrate No. 07-3163 (PS) - Case No. 2:08-cr-665

Dear Sir/Madam:

In order to protect my client's rights, this office filed a Notice of Appeal on May 11, 2009, to the United States Court of Appeals for the Third Circuit from the District Court's May 1, 2009 affirmance of the Judgment in a Criminal Case entered by United States Magistrate Judge on September 8, 2008.

After consulting with my client further, he has decided to withdraw the Appeal.

Please advise me if anything more formal is required.

Respectfully yours,

/s/ STEVEN D. ALTMAN

Steven D. Altman

SDA/dm